



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.10.2018
CORAM:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

WEB COPY

Crl.A(MD)No.467 of 2018

Mayasamy : Appellant/Accused
Rank not known

Vs.

1. State rep. by
The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.
2. The Inspector of Police,
Pazhayanoor Police Station,
Sivagangai District.
[Crime No.32 of 2018] : Respondents 1 and 2/
Complainant
3. Maheswaran : Third Respondent/
Complainant

PRAYER: Criminal Appeal is filed under Section 14A(2) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by Act, 1 of 2016, praying to call for the records pertaining to the order dated 11.10.2018 passed in Cr.M.P.No.3685 of 2018 on the file of the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai and set aside the same and enlarge the appellant on bail in connection with Crime No.32 of 2018 on the file of the respondent police by allowing this criminal appeal.

For Appellant : Mr.G.Karuppasamy Pandian
for Mr.R.Manikandan
For Respondents 1 and 2 : Mr.A.Robinson,
Govt. Advocate (Crl. Side).

JUDGMENT

This Criminal Appeal is filed praying to set aside the order dated 11.10.2018 passed in Crl.M.P.No.3685 of 2018 on the file of the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai.

2. Heard the learned counsel appearing for the appellant and the learned Government Advocate (Criminal side) appearing for the respondents 1 and 2.



3.The victim has been informed about the bail petition through the learned Government Advocate (Crl. side), but no representation for the victim.

4.This is a case where due to communal violence, three persons were done to death and five others were grievously injured.

5.The learned Government Advocate (Criminal side) appearing for the State opposed the bail vehemently on the ground that if this petitioner is released on bail, he will cause threat to the witnesses and the antecedents of the petitioner is not impressive. According to him, he is having eight cases and one case is under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

6.Considering the facts of the case and also considering the previous antecedents of the appellant, this Court is not inclined to grant bail to the appellant and accordingly, this Criminal Appeal is dismissed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Special Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai.
 2. The Deputy Superintendent of Police, Manamadurai, Sivagangai District.
 3. The Inspector of Police, Pazhayanoor Police Station, Sivagangai District.
 4. The Superintendent, Central Prison, Madurai. (in duplicate for communication to the accused)
 5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO Mr.R.MANIKANDAN, ADVOCATE IN SR No. 90999

SMN

TE/SKN/SAR-1 : 23/10/2018 : 2P/8C

JUDGMENT MADE IN
Crl.A (MD) No.467 of 2018
22.10.2018